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11 *Attorneys for Plaintiff, U.S. Bank National Association, as Trustee for the Holders of the First
12 Franklin Mortgage Loan Trust Mortgage Pass-Through Certificates, Series 2005-FF9*

13 **UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA**

15 U.S. BANK NATIONAL ASSOCIATION AS
16 TRUSTEE FOR THE HOLDERS OF THE
17 FIRST FRANKLIN MORTGAGE LOAN
18 TRUST MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-FF9,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE INSURANCE
COMPANY,

Defendant.

Case No.: 2:19-cv-00970-KJD-BNW

**STIPULATION AND ORDER TO
STAY CASE PENDING RULING ON
FIDELITY NATIONAL TITLE
INSURANCE COMPANY'S MOTION
TO DISMISS [ECF No. 30]**

(First Request)

19 Plaintiff, U.S. Bank National Association, as Trustee for the Holders of the First Franklin
20 Mortgage Loan Trust Mortgage Pass-Through Certificates, Series 2005-FF9 ("U.S. Bank") and
21 Defendant Fidelity National Title Insurance Company ("FNTIC") (collectively referred to as the
22 "Parties"), by and through their counsel of record, hereby stipulate and agree as follows:

23 **WHEREAS**, on June 16, 2022, U.S. Bank filed its First Amended Complaint in the instant
24 action [ECF No. 27];

25 **WHEREAS**, on July 18, 2022, FNTIC filed its Motion to Dismiss U.S. Bank's First
26 Amended Complaint [ECF No. 30];

27 **WHEREAS**, FNTIC's Motion to Dismiss has been fully briefed and is pending the
28 Court's decision [*see* ECF Nos. 31 and 32];

1 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby
2 stipulate and agree as follows:

3 1. In the interests of judicial economy, the Parties stipulate and agree that this case shall be
4 **STAYED** pending the Court's decision on FNTIC's Motion [ECF No. 30];
5 2. Nothing contained in this stipulation will affect any pending dispositive motions or
6 prevent the Parties from filing any additional dispositive motions.
7 3. Each of the Parties may request a further Fed R. Civ. P. 26(f) conference at any time 180
8 days after the order granting this Stipulation.
9 4. By entering into this Stipulation, none of the Parties is waiving its right to subsequently
10 move the Court for an order lifting the stay in this action.
11 5. Notwithstanding this Stipulation, the Parties may continue to conduct third-party
12 discovery (including by issuing and enforcing third-party subpoenas) to preserve
13 evidence.
14 6. In the event FNTIC's Motion is denied, the Parties will submit a proposed discovery plan,
15 within thirty (30) days of the Court's Order.

16 **IT IS SO STIPULATED.**

17 DATED this 27th day of October, 2022.

18 WRIGHT, FINLAY & ZAK, LLP

19 /s/ Lindsay D. Dragon

20 Lindsay D. Dragon, Esq.

21 Nevada Bar No. 13474

22 7785 W. Sahara Ave., Suite 200

23 Las Vegas, NV 89117

24 Attorneys for Plaintiff

 DATED this 27th day of October, 2022.

 SINCLAIR BRAUN, LLP

/s/ Kevin S. Sinclair

 Kevin S. Sinclair, Esq.,

 Nevada Bar No. 12277

 16501 Venture Blvd., Suite 400

 Encino, CA 91436

 Attorneys for Defendant

24 **IT IS SO ORDERED.**

25 DATED: 11/2/2022

26 

 UNITED STATES DISTRICT COURT JUDGE